File Box 39
Prepared by:
Warren Wolter
The Kroger Co.
1014 Vine St.
Cincinnati, Ohio 45201

Name and Address of New Owner:
Summit Insured Equity L.P.
625 Madison Avenue
New York, New York 10022

Send Tax Bills To:
New Owner(s)

File 39

Map 161
Parcel 163
FB#6DU-71255

SPECIAL WARRANTY DEED

BOOK 7214 PAGE 773

THIS DEED between TOPVALCO, INC., an Ohio corporation, party of the first part; and Summit Insured Equity, L.P., a Delaware limited partnership, party of the second part;

W I T N E S S E T H :

That for Four Million Nine Hundred Two Thousand Dollars ($4,902,000) cash, receipt of which is hereby acknowledged, TOPVALCO, INC. conveys to Summit Insured Equity, L.P., a Delaware limited partnership, its successors and assigns, with covenant of SPECIAL WARRANTY, the property located in Davidson County, Tennessee, and described as follows:

> Land in the 6th Civil District of Davidson County, Tennessee, being Parcel 1 of the land shown on the Plat of Hickory Plaza, of record in Book 5200, page 68, in the Register's Office of Davidson County, Tennessee, and more particularly described as follows:
>
> Beginning in the west margin of Nolensville Road at a point 50 feet north of a highway monument at the intersection of Old Hickory Boulevard and said road; thence leaving said margin at a right angle with a line common with the Pizza Hut property, S 84° 59' W, 192.00 feet to a common corner; thence with a line common with the Pizza Hut property, S 05° 01' E, 143.71 feet to a point in the proposed north margin of old Hickory Boulevard, said point being 75 feet north of the present center line of said Boulevard; thence with proposed north margin, S 83° 09' 31" W, 108.94 feet to a point, the beginning of a curve to the right; thence with proposed said north margin and with a curve having a central angle of 02° 19' 23" and a radius of 2,769.53 feet, 112.29 feet to a point; thence leaving said margin and a line common with Lot 3, with a curve to the left having a central angle of 90° 31' 19", a radius of 25.00 feet and a distance of 39.50 feet to a point; thence N 05° 01' 56" W, 83.31 feet to a point, the beginning of a curve to the left; thence with said curve having a central angle of 90° 00' 56", a radius of 50.00 feet and a distance of 78.55 feet to a point; thence S 84° 59' W, 215.57 feet to a point; thence N 00° 46' 33" E, 24.17 feet to a point; thence N 05° 01' W, 152.56 feet to a point; thence N 09° 29' E; 244.17 feet to a point; thence N 84° 59' E, 75.00 feet to a point; thence N 05° 01' W, 100.00 feet to a point; thence 84° 59' E, 225.00 feet to a point; thence N 05° 01' W, 73.50 feet to a point; thence 84° 59' E, 290.00 feet to a point in the westerly margin of Nolensville Road; thence along said margin, S 05° 01' E, 186.50 feet to a point in the northeast corner of the First American National Bank property; thence, leaving said margin, with a line common with the

1-912, 447

common with the First American National Bank property, S 84° 59' W, 150.00 feet to a common corner; thence with common line, S 05° 01' E, 150.00 feet to a common corner; thence with a common line, N 84° 59' E, 150.00 feet to the west margin of Nolensville Road; thence with said margin, S 05° 01' E, 260.00 feet to the point of beginning, containing 7.92 acres, more or less.

Together with the easement dated October 31, 1978, recorded in Book 5361, page 888, in said Register's Office.

Together with any reciprocal rights of the Grantor in and to the cross easements of record in Book 4773, page 103, and Book 4818, page 745, in said Register's Office.

Together with all easements, rights and appurtenances thereunto appertaining.

The last recorded instrument was a quit claim deed recorded in Book 6412, page 652, Register's Office for Davidson County, Tennessee.

TOPVALCO, INC. further covenants that it is lawfully seized of the property conveyed, that said property is free and clear of all liens and encumbrances except as herein provided, and that it will warrant and defend title to said property unto Summit Insured Equity L.P., its successors and assigns against all legal claims of all persons holding or claiming by, through or under TOPVALCO, INC.

The property is improved and the street address is 5771 Nolensville Road, Nashville, Tennessee 37211.

WITNESS the signature of TOPVALCO, INC. this 9th day of April, 1987.

ATTEST:

Thomas L. O'Brien, Jr.
Assistant Secretary

TOPVALCO, INC.

By _____
Secretary

By _____
Assistant Treasurer

STATE OF OHIO)
) SS.
COUNTY OF HAMILTON)

Personally appeared before me Margaret Saunders, Notary Public, Norma Stoy and Larry B. Fitt, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained, and who further acknowledged that they are the Secretary and Assistant Treasurer of Maker, TOPVALCO, INC., and they are authorized by Maker to execute this instrument on behalf of Maker.

WITNESS my hand and notarial seal this 9th day of April, 1987.

Notary Public

My commission expires:

WHW/ms
0331-3

STATE OF TENNESSEE
COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater for this transfer is $4,902,000.00.

Affiant

Subscribed and sworn to before me, this the 22 day of April, 1987.

Notary Public

My commission expires: 7-17-88

18632

APR 24 4 18 PM '87

OFFICIAL RECEIPT
FELIX Z. WILSON, II
REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

BOOK 7214 PAGE 776

CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID
		CONV. 4,902,000.00		

13788.50 CSTAX
.50 PRFEE
9.00 WDT
CHE K13789.50-
.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

18832

RECEIVED FOR IDENTIFICATION REFERENCE
Apr 24 4 18 PM '87
REGISTER'S OFFICE
DAVIDSON COUNTY, TN

No. 73795